



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

August 17, 2023

**BY ECF**

The Honorable Mary Kay Vyskocil  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

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**Re: *United States v. Angel Robertho Peri Cacho, 23 Cr. 216 (MKV)***

Dear Judge Vyskocil:


The parties write respectfully in response to the Court's August 10, 2023 Order regarding a status update. Defense counsel had arranged for a licensed competency evaluator to assess the defendant in prison on August 15, 2023, but was informed by prison staff that the defendant declined the visit. Defense counsel is seeking to arrange a subsequent visit as soon as possible, but the parties do not anticipate that a psychological examination and report of the defendant's competency will be completed before the upcoming trial date of August 22, 2023. Accordingly, the parties request that the August 22, 2023 trial date be adjourned and that the Court set a control date or a status conference on September 28, 2023. If defense counsel is able to obtain a competency evaluation before that date, the parties will promptly inform the Court.

In light of the above, the Government requests that time between August 22, 2023, and September 28, 2023, be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the trial in a speedy trial, as the proposed exclusion will allow the parties

time to arrange for the psychological examination and report of the defendant's competency. Defense counsel consents to this request.

Respectfully submitted,

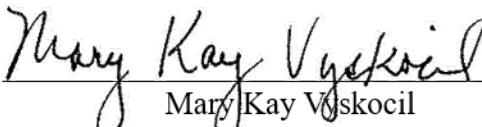
DAMIAN WILLIAMS  
United States Attorney

By:   
Katherine Cheng  
Assistant United States Attorney  
Southern District of New York  
(212) 637-2492  
Katherine.Cheng@usdoj.gov

cc: Mark Gombiner, Esq.

**Granted. SO ORDERED.** Status conference on September 28, 2023 at 11:00 a.m. Joint status letter due September 25, 2023. All time excluded until September 28, 2023.

Date: August 24, 2023  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge